

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WILLIAM HANSON, III,	:	Civil Action
	:	
Plaintiff	:	
	:	
v.	:	No. 05-CV-46 JJF
	:	
LOWE'S HOME CENTERS, INC., et al.	:	
	:	
Defendants	:	

**DEFENDANT LOWE'S HOME CENTERS, INC.'S
APPENDIX OF EXHIBITS**

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Dated: December 29, 2005

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EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WILLIAM HANSON, III, : CIVIL ACTION

Plaintiff :

v. :

LOWE'S HOME CENTERS, :

INC., and DDP HOLDINGS:

INC., f/k/a IDEAL :

MERCHANDISING & SERVICES

UNLIMITED, INC., :

Defendants : NO. 05-0046-JJF

Wednesday, November 2, 2005

Wilimington, Delaware

EXAMINATION OF
WILLIAM HANSON, III

TAKEN BY: Maria N. Damiani, RMR, CSR

ESQUIRE DEPOSITION SERVICES
Four Penn Center, Suite 1210
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103
(215) 988-9191

<p>1 2 3 Oral deposition of 4 WILLIAM HANSON, III, taken 5 pursuant to notice, was held at 6 the law offices of BALLARD SPAHR 7 ANDREWS & INGERSOLL, LLP, 919 8 Market Street, Wilmington, 9 Delaware 19806, beginning at 10:34 10 a.m., on the above date, before 11 MARIA NOELLE DAMIANI, Registered 12 Merit Reporter, Certified 13 Shorthand Reporter (DE License No. 14 RPR-117, Exp. 12/08) and Notary 15 Public. 16 17 18 19 20 21 22 23 24</p>	<p>1 2 3 INDEX 4 5 Testimony of: 6 WILLIAMS HANSON, III 7 Page Number 8 By Mr. Leahy.....7, 462 9 By Ms. Clemons.....407, 464 10 By Mr. Primos.....458 11 12 EXHIBITS 13 NUMBER DESCRIPTION PAGE MARKED 14 Hanson 1 Job Application 23 15 Hanson 2 Ideal Merchandising 175 16 Duties and Responsibilities 17 Hanson 3 Complaint 189 18 Hanson 4 Customer Care 257 19 Incident Fax 20 Hanson 5 Plaintiff's Answers 331 21 to Defendant Lowe's 22 First Set of Interrogatories 23 Hanson 6 Information 351 24 Questionnaire of Labor Law Enforcement Hanson 7 Audio tape 358 Hanson 8 Human Resources 374 Management Guide</p>
<p>1 2 APPEARANCES: 3 4 SCHMITTINGER and RODRIGUEZ, P.A. 5 BY: NOEL E. PRIMOS, ESQUIRE 6 414 South State Street 7 P.O. Box 497 8 Dover, Delaware 19901 9 (302) 674-0140 10 -Representing the Plaintiff 11 12 13 LITTLER MENDELSON, P.C. 14 BY: WILLIAM J. LEAHY, ESQUIRE 15 1601 Cherry Street, Suite 1400 16 Three Parkway 17 Philadelphia, Pennsylvania 19102 18 (267) 402-3012 19 -Representing the Defendant, 20 Lowe's Home Centers, Inc. 21 22 23 BALLARD SPAHR ANDREWS & 24 INGERSOLL, LLP BY: LACRETIA C. CLEMONS, ESQUIRE 1735 Market Street, 51st Floor Philadelphia, Pennsylvania 19103 (215) 864-8137 -Representing the Defendant, DDP Holdings, Inc., f/k/a Ideal Merchandising & Services Unlimited, Inc.</p>	<p>1 2 3 EXHIBITS : (Continued) 4 5 Hanson 9 #587 Lowe's Dover 377 6 Store Documentation 7 Hanson 10 Handbook Excerpt 424 8 9 Hanson 11 Receipt and 425 10 Acknowledgment of 11 Ideal Merchandising Sales 12 and Services Unlimited, 13 Inc., Employee Manual 14 15 Hanson 12 Harassment Policy 429 16 17 18 19 20 21 22 23 24</p>

WILLIAM HANSON,

<p>1 - - -</p> <p>2 DEPOSITION SUPPORT INDEX</p> <p>3 - - -</p> <p>4</p> <p>5 Direction to Witness Not to Answer</p> <p>6 Page</p> <p>7 None</p> <p>8</p> <p>9</p> <p>10 Request for Production of Documents</p> <p>11 Page</p> <p>12 411</p> <p>13</p> <p>14</p> <p>15 Stipulations</p> <p>16 Page</p> <p>17 7, 466</p> <p>18</p> <p>19</p> <p>20 Question Marked</p> <p>21 Page</p> <p>22 None</p> <p>23</p> <p>24</p>	<p>1 Q. Okay. Let me go through a</p> <p>2 few of the ground rules, and your</p> <p>3 attorney probably has already done this</p> <p>4 with you, but the first is that you have</p> <p>5 to give a verbal response to all of my</p> <p>6 questions so that the court reporter can</p> <p>7 take down your answer.</p> <p>8 If you don't hear a</p> <p>9 question, let me know and I will be happy</p> <p>10 to repeat it. If you don't understand a</p> <p>11 question, let me know and I will rephrase</p> <p>12 it for you.</p> <p>13 Do you understand that?</p> <p>14 A. Yes, sir.</p> <p>15 Q. Okay. If you would like to</p> <p>16 take a break at some point in time, you</p> <p>17 can let us know and we can take a break.</p> <p>18 We are not here simply to test your</p> <p>19 endurance, we are only here to get our</p> <p>20 questions answered.</p> <p>21 If you don't know the</p> <p>22 answer, tell me you don't know the</p> <p>23 answer, and if you don't remember the</p> <p>24 answer to a question, tell me you don't</p>
<p>1 - - -</p> <p>2 (It is hereby stipulated, by</p> <p>3 and among counsel, that the</p> <p>4 sealing, filing, and certification</p> <p>5 are hereby waived, and that all</p> <p>6 objections, except as to the form</p> <p>7 of the question, are reserved</p> <p>8 until the time of trial.)</p> <p>9 - - -</p> <p>10 WILLIAM HANSON, III, after</p> <p>11 having been duly sworn, was</p> <p>12 examined and testified as follows:</p> <p>13 - - -</p> <p>14 EXAMINATION</p> <p>15 - - -</p> <p>16 BY MR. LEAHY:</p> <p>17 Q. Good morning, Mr. Hanson.</p> <p>18 A. Good morning.</p> <p>19 Q. My name is William Leahy and</p> <p>20 I represent Lowe's in the litigation that</p> <p>21 you have brought against Lowe's and DDP.</p> <p>22 Have you ever had your</p> <p>23 deposition taken before?</p> <p>24 A. No. No, sir.</p>	<p>1 remember.</p> <p>2 Do you understand that?</p> <p>3 A. Yes, sir.</p> <p>4 Q. If over the course of the</p> <p>5 deposition you realize that an answer</p> <p>6 that you gave previously was incorrect or</p> <p>7 incomplete, I also want you to know that</p> <p>8 you must then let me know that you</p> <p>9 realize that your previous answer was</p> <p>10 incorrect or incomplete and you can</p> <p>11 supplement it at that time.</p> <p>12 Do you understand that?</p> <p>13 A. Yes, sir.</p> <p>14 Q. Are you taking any</p> <p>15 medication or anything today that would</p> <p>16 affect your ability to answer my</p> <p>17 questions, truthfully, accurately and</p> <p>18 completely?</p> <p>19 A. No, sir. I'm on</p> <p>20 medications, but I don't think it's going</p> <p>21 to affect any of my answers.</p> <p>22 Q. And what medications are you</p> <p>23 on?</p> <p>24 A. 20 milligrams of Paxil.</p>

3 (Pages 6 to 9)

A3

Esq

Services

<p style="text-align: right;">10</p> <p>1 Q. When was the last time you 2 took 20 milligrams of Paxil? 3 A. Last night. 4 Q. What time last night? 5 A. It was around, I would say, 6 quarter after 7:00. 7 Q. And how often do you take 8 Paxil? 9 A. Every night -- every day. 10 Q. By "every day," do you mean 11 you take it once in a 24-hour period? 12 A. Correct, once in a 24-hour 13 period. 14 Q. So you take it every 15 evening? 16 A. Every evening. 17 Q. Okay. Who prescribed Paxil 18 for you? 19 A. Dr. Capiro. 20 Q. All right. Are you 21 experiencing any other conditions today 22 that would affect your ability to answer 23 my questions? 24 A. No, sir.</p>	<p style="text-align: right;">12</p> <p>1 for your deposition? 2 A. What did I do to get ready 3 for my deposition? 4 Q. Yes. 5 A. I reviewed paperwork over 6 the past year and a half since this suit 7 was filed and just so -- uhm, I was 8 trying to go over -- I want to be honest, 9 I won't remember the exact specific 10 dates, day or the time, but I can 11 remember each event. If date or time are 12 needed, we can get that to you, but all 13 the events are going to be in order. 14 Q. What paperwork did you 15 review? 16 A. Just basically the paperwork 17 on when I had filed for the suit, and I 18 had broken down all of the, uhm -- the 19 dates of each event that had transpired 20 during my 90-day tenure with Ideal 21 Merchandising and everything that I had 22 documented. That's what I had reviewed. 23 Q. Is that the two-page 24 document --</p>
<p style="text-align: right;">11</p> <p>1 Q. If you answer a question, 2 I'm going to assume that you understood 3 the question and that you're answering it 4 completely and to the best of your 5 ability. Okay? 6 A. Yes, sir. 7 Q. One more thing I should say, 8 because I'm sure as the day goes on we 9 will have it come up, that we are not 10 able to both talk at the same time, so I 11 would ask you that when I am asking you a 12 question, please let me finish my 13 question, and when you're answering, at 14 the same time, I will try to allow you to 15 finish answering before I start another 16 one. 17 It's something that comes up 18 in a deposition a lot of times so I 19 figure I will just tell you in the 20 beginning and we will both try to stay in 21 the habit of doing that, and I am 22 probably the worst offender of that, so 23 just to give you a warning. 24 What did you do to get ready</p>	<p style="text-align: right;">13</p> <p>1 A. That is -- 2 Q. Sorry, but is that a 3 two-page document that you're referring 4 to? 5 A. Yes, sir. 6 Q. We may get to that in a 7 little bit. 8 A. Okay. 9 Q. Are there any other 10 documents that you reviewed? 11 A. No, sir. 12 Q. Did you do anything else to 13 get ready for the deposition? 14 A. No, sir. 15 Q. Did you meet with your 16 attorney? 17 A. No, sir. 18 Q. Okay. Can I have your full 19 name and address for the record? 20 A. William L. Hanson, III. 21 Q. And your address? 22 A. 400 North Dupont Highway, 23 Apartment D-12, as in David, Dover, 24 Delaware 19901.</p>

4 (Pages 10 to 13)

WILLIAM HANSON,

<p>14</p> <p>1 Q. And do you own that 2 residence? 3 A. Renting. 4 Q. Okay. Does anybody else 5 reside there with you? 6 A. No, sir. 7 Q. How long have you lived 8 there? 9 A. 13, 14 months. 10 Q. Where did you live before 11 you lived there? 12 A. 217 Mahogany Place, Dover, 13 Delaware 19901. 14 Q. How long did you live at 217 15 Mahogany Place? 16 A. About the same, about 13 to 17 15 months. 18 Q. Okay. And did you own that 19 place or rent that place? 20 A. Rent. 21 Q. Okay. Did you live there 22 alone? 23 A. No, sir. 24 Q. And who did you live there</p>	<p>16</p> <p>1 rented -- actually, who I rented a room 2 from. 3 Q. Okay. Are you married? 4 A. No, sir. 5 Q. Have you ever been married? 6 A. No, sir. 7 Q. Do you have any children? 8 A. No, sir. 9 Q. Could you give me your 10 educational background? 11 A. Bachelor's degree, business 12 administration, Wilmington College. 13 Q. Wilmington College? 14 A. Yes, sir. 15 Q. What year did you get that 16 bachelor's degree? 17 A. 2001. 18 Q. And it was in business 19 administration? 20 A. Yes, sir. 21 Q. Did you have a concentration 22 within that or a major? 23 A. It's just business 24 generally.</p>
<p>15</p> <p>1 with? 2 A. My mom. 3 Q. Does your mother still live 4 there? 5 A. Yes, sir. 6 Q. Where did you live before 7 you lived at Mahogany Place? 8 A. There's a couple of places, 9 the Village of Westover. 10 Q. Village of Westover? 11 A. Yeah, the Village of 12 Westover, and it was a housing 13 development, the Village of Westover. 14 Q. And how long did you live 15 there? 16 A. About five to six months. 17 Q. And who did you live there 18 with? 19 A. Kathy Betts, B-e-e -- the 20 spelling may be incorrect, but I believe 21 it's B-e-t-t-s. 22 Q. Okay. And who is Kathy 23 Betts? 24 A. She was the landlord that I</p>	<p>17</p> <p>1 Q. Okay. Any other formal 2 schooling beyond that? 3 A. Yes, sir, an associate's 4 degree, customer service management, 5 Delaware Tech. 6 Q. What year was that? 7 A. That was 2000. 8 Q. Any other formal education? 9 A. High school diploma. 10 Q. Where did you go to high 11 school? 12 A. Carthage, New York. 13 Q. That was the town? 14 A. Yes, sir. 15 Q. Carthage, New York? 16 A. Yes, sir. 17 Q. And what high school was it? 18 A. Carthage High School. 19 Q. What year did you graduate 20 from high school? 21 A. 1996. 22 Q. Why don't you begin with 23 when you graduated from high school and 24 give me your employment background,</p>

5 (Pages 14 to 17)

A5

Es

on Services

<p>18</p> <p>1 starting with your first full-time job.</p> <p>2 A. Right after high school my</p> <p>3 first job was with Lowe's Home</p> <p>4 Improvement Warehouse a few months after</p> <p>5 graduation. I relocated from Carthage,</p> <p>6 New York, to Dover, Delaware. I worked</p> <p>7 for Lowe's Home Improvement Warehouse</p> <p>8 from 1996 all the way to 2000, 2001, just</p> <p>9 about six years at Lowe's.</p> <p>10 Q. Okay.</p> <p>11 A. Then I went to marketing</p> <p>12 management, vendor service management,</p> <p>13 with Spectrum Brands, which was servicing</p> <p>14 Lowe's and Home Depot, and Ideal</p> <p>15 Merchandising, just specifically</p> <p>16 servicing Lowe's, for 90 days.</p> <p>17 Q. Now, when you first started</p> <p>18 working for Lowe's, that was in Dover?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Why did you move from</p> <p>21 Carthage, New York, to Dover, Delaware?</p> <p>22 A. My father retired out of the</p> <p>23 military and wanted to relocate to where</p> <p>24 there was a military base, and Delaware</p>	<p>20</p> <p>1 was your father in?</p> <p>2 A. United States Army.</p> <p>3 Q. And he retired in 1996?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Now, when did you begin</p> <p>6 going to college, I guess, Delaware Tech,</p> <p>7 was that where you went first?</p> <p>8 A. Yes, sir.</p> <p>9 Q. When did you start doing</p> <p>10 that?</p> <p>11 A. Fall of 1996.</p> <p>12 Q. And during that same time</p> <p>13 frame were you working for Lowe's?</p> <p>14 A. Yes, sir.</p> <p>15 Q. Were you doing one or the</p> <p>16 other of them part time or were they</p> <p>17 both --</p> <p>18 A. It was between -- they</p> <p>19 worked with my schedule. I was floating</p> <p>20 between 25 to 40 hours in between.</p> <p>21 Q. That was your work?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Tell me what your job titles</p> <p>24 were at Lowe's during the time that you</p>
<p>19</p> <p>1 is a tax-free state for shopping, so he</p> <p>2 just wanted to relocate here because of</p> <p>3 that and that all our family lives in</p> <p>4 Maryland.</p> <p>5 Q. Okay. And so you were still</p> <p>6 living with your father at the time?</p> <p>7 A. Yes, sir.</p> <p>8 Q. How long did you live with</p> <p>9 your father?</p> <p>10 A. About four -- in and out,</p> <p>11 but consistently, probably for the</p> <p>12 upwards of four years.</p> <p>13 Q. Beginning at that point in</p> <p>14 time?</p> <p>15 A. 1996 to 2000.</p> <p>16 Q. And what's your father's</p> <p>17 name?</p> <p>18 A. William L. Hanson, Jr.</p> <p>19 Q. I suppose I could have</p> <p>20 figured that out by you telling me your</p> <p>21 name, but that might be giving me too</p> <p>22 much credit.</p> <p>23 A. Yeah, right.</p> <p>24 Q. What branch of the military</p>	<p>21</p> <p>1 worked there.</p> <p>2 A. Sales associate, various</p> <p>3 departments within the store.</p> <p>4 Q. Could you tell me what</p> <p>5 departments?</p> <p>6 A. Inside/outside garden --</p> <p>7 excuse me, inside garden, flooring, home</p> <p>8 decor, customer service desk, cross</p> <p>9 training -- cross training in other</p> <p>10 departments, but those are the ones</p> <p>11 specifically that I worked in.</p> <p>12 Q. Were you a sales associate</p> <p>13 the entire time you worked at Lowe's?</p> <p>14 A. Yes, sir.</p> <p>15 Q. Do you remember who your</p> <p>16 supervisors were?</p> <p>17 A. Linda Myers.</p> <p>18 Q. Do you remember what her</p> <p>19 position was?</p> <p>20 A. Department manager.</p> <p>21 Q. Was she your supervisor the</p> <p>22 entire time that you worked at Lowe's?</p> <p>23 A. No, I -- prior to -- there</p> <p>24 would be between twelve to 15 of them the</p>

<p style="text-align: right;">22</p> <p>1 entire time.</p> <p>2 Q. Okay.</p> <p>3 A. That was the last -- that</p> <p>4 was the last management -- manager.</p> <p>5 Q. She was your last department</p> <p>6 manager?</p> <p>7 A. Yes, sir.</p> <p>8 Q. When you were a Lowe's</p> <p>9 employee?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Okay. Do you remember who</p> <p>12 the store manager was during the time</p> <p>13 that you worked at Lowe's?</p> <p>14 A. Yvette.</p> <p>15 Q. Yvette Schreiber?</p> <p>16 A. Schreiber.</p> <p>17 Q. How long was she the store</p> <p>18 manager there?</p> <p>19 A. Prior to when I left, about</p> <p>20 a year.</p> <p>21 Q. And she was the manager when</p> <p>22 you left?</p> <p>23 A. Yes, sir.</p> <p>24 Q. During the time that you</p>	<p style="text-align: right;">24</p> <p>1 BY MR. LEAHY:</p> <p>2 Q. Mr. Hanson, I'm showing you</p> <p>3 now what we have marked as Exhibit Hanson</p> <p>4 1, and I apologize for the quality of the</p> <p>5 copy, but do you recognize this document?</p> <p>6 A. Yes, sir.</p> <p>7 Q. What is it?</p> <p>8 A. An employment application.</p> <p>9 Q. Is this the one you filled</p> <p>10 out at Lowe's?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Do you remember when you</p> <p>13 filled this out?</p> <p>14 A. August 23rd, 1996.</p> <p>15 Q. Okay. What are you basing</p> <p>16 that on? Is that your own recollection?</p> <p>17 A. My own recollection.</p> <p>18 Q. And I will ask you to turn</p> <p>19 to the second page.</p> <p>20 A. (Witness complies with</p> <p>21 request.)</p> <p>22 Q. Is that your signature</p> <p>23 there?</p> <p>24 A. Yes, sir.</p>
<p style="text-align: right;">23</p> <p>1 worked at Lowe's, did you have any other</p> <p>2 employment?</p> <p>3 A. No, sir.</p> <p>4 Well, rephrase that. I</p> <p>5 worked for temp. agencies during the</p> <p>6 holiday. I don't know if that would</p> <p>7 suffice. A temp. agency, Manpower,</p> <p>8 placed me at Playtex. That was seasonal,</p> <p>9 just a two-week job, and that ended and,</p> <p>10 uhm, that's it.</p> <p>11 Q. Do you remember what year</p> <p>12 you did that?</p> <p>13 A. Nineteen -- I think -- I</p> <p>14 think 1999.</p> <p>15 Q. Why did you take on that</p> <p>16 work?</p> <p>17 A. Christmas money.</p> <p>18 Q. Okay. What was the temp.</p> <p>19 agency?</p> <p>20 A. Manpower.</p> <p>21 - - -</p> <p>22 (Whereupon, Exhibit 1 was</p> <p>23 marked for identification.)</p> <p>24 - - -</p>	<p style="text-align: right;">25</p> <p>1 Q. And there's a date below it.</p> <p>2 Can you read the date?</p> <p>3 A. 27th July, 1996.</p> <p>4 Q. Does that sound -- do you</p> <p>5 think -- do you still think it was August</p> <p>6 23rd?</p> <p>7 A. No, sir.</p> <p>8 Q. Does it sound like it was</p> <p>9 July 27th when you filled it out?</p> <p>10 A. Yes, I got -- yes, because I</p> <p>11 was employed on August 23rd, so that's</p> <p>12 correct.</p> <p>13 Q. So August 23rd was your</p> <p>14 first day of work at Lowe's?</p> <p>15 A. Yes, sir.</p> <p>16 Q. When you filled this out,</p> <p>17 was everything on it true?</p> <p>18 A. Yes, sir.</p> <p>19 Q. Do you remember who hired</p> <p>20 you to work at Lowe's?</p> <p>21 A. Verne.</p> <p>22 Q. Vernon?</p> <p>23 A. Vernon. I don't remember</p> <p>24 the last name.</p>

7 (Pages 22 to 25)

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1 Q. Do you remember what
2 Vernon's position was?
3 A. Assistant store manager.
4 Q. Is Vernon still a Lowe's
5 employee, as far as you know?
6 A. The last time he was doing
7 the same work, vendor manager inventory
8 at Lowe's, back when I left Ideal last
9 time I seen him, not a Lowe's employee.
10 Q. He was working for a vendor?
11 A. Yes, sir.
12 Q. Was Vernon the one who
13 interviewed you at Lowe's?
14 A. Yes, sir.
15 Q. And he extended you an
16 offer?
17 A. Yes.
18 Q. Do you remember who the
19 store -- who the other store managers
20 were at the store before Yvette Schreiber
21 worked there?
22 A. Yes, sir.
23 Q. Who were they?
24 A. John Hunton, the first store

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1 manager, the second store manager was a
2 guy named Mike Webbe.
3 Q. Do you remember how to spell
4 that?
5 A. No, sir.
6 Q. Okay.
7 A. The third store manager was
8 a guy -- or a gentleman by the name of
9 John, but for some reason I can't
10 remember his last name. And the fourth
11 store manager, Yvette Schreiber.
12 Q. Okay. Any other store
13 managers?
14 A. No, sir.
15 Q. Why did you leave Lowe's?
16 A. I had laryngitis. Yvette
17 Schreiber -- uhm, I had a two-day
18 doctor's notice. Yvette Schreiber
19 crumbled up my doctor's notice, threw it
20 on the floor, embarrassed me in front of
21 customers and workers, and I just quit on
22 the spot.
23 Q. Do you remember when this
24 was?

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1 A. The fall -- fall or spring
2 of 2001.
3 Q. Fall, spring of 2001?
4 A. Excuse me, it would be
5 winter, between winter and spring of
6 2001.
7 Q. So it would be winter of
8 2000 through spring of 2001?
9 A. Yeah, somewhere around
10 there.
11 Q. All right. Why don't you
12 tell me what happened there? You said
13 you had laryngitis?
14 A. I had laryngitis. It's a
15 long story.
16 Q. Well, we have time.
17 A. Okay. In a nutshell, called
18 out from the -- called out, spoke with
19 Yvette, couldn't speak, had laryngitis,
20 had to repeat myself five, six, seven
21 times.
22 The associate that was
23 supposed to open wasn't there. She
24 needed somebody to temporarily work in

29

1 that department until she could get the
2 day shift person. I should have just
3 stayed -- just stayed home, but instead I
4 went to work sick, but I told her before
5 that guy shows up to call me and,
6 therefore, I don't have to show up -- if
7 that guy does eventually show up, to call
8 me so I don't have to show up and I will
9 go to the hospital.
10 I come to find out when I
11 went to the store that the associate was
12 in the department. I went to see Yvette
13 wondering why she never called my cell
14 phone to let me know that someone did
15 show up, so, therefore, I didn't have to
16 go to work, and she said she didn't have
17 to explain herself to me and she told me
18 that I could leave, and then I was trying
19 to talk to her again and she says I could
20 leave.
21 So I went to the hospital.
22 I got two days' doctor's note and I went
23 back to Lowe's, and I wanted to let her
24 know that I am -- I'm not going to show

30

1 up for work with my doctor's note, two
2 days' doctor note.
3 Q. What do you mean by "two
4 days' doctor note"?
5 A. With the antibiotics, the
6 doctor gave me a two days' doctor note
7 not to go to work that day and the
8 following day to relieve and recover from
9 my laryngitis.
10 She took the note, crumbled
11 the note, threw it on the floor, and told
12 me I was dismissed.
13 And, now, I don't know even
14 why I bother. I tried to talk to her,
15 then she escorted me out, outside, and
16 embarrassing me in front of customers and
17 workers, and then she told me that that
18 was my car and that I could leave.
19 And I told her, uhm, I'm
20 done.
21 She goes, we will discuss it
22 when you get back.
23 I said, there is no me
24 getting back, I quit, and I quit that

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1 day.
2 Q. How did she embarrass you in
3 front of your coworkers?
4 A. She used her -- she's a -- a
5 woman of stature physically. She -- she
6 used her height and weight to -- to
7 basically -- she was like right butting
8 up next to me and escorted me out that
9 way. She didn't do it from a distance.
10 She made sure that I went out by her,
11 just using her body weight just to get me
12 outside of Lowe's premises. She wasn't
13 going to leave anywhere until I was --
14 until I left the whole store, the parking
15 lot.
16 Q. Did she tell you why she was
17 escorting you out?
18 A. No, sir.
19 Q. Did she tell you why she
20 crumbled up the note?
21 A. No, sir.
22 Q. Did you ask her why?
23 A. No, sir.
24 Q. Why not?

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1 A. Well, this is what I said to
2 her, not -- not verbatim, about why she
3 crumbled my doctor's note. I told her
4 you know what you did was wrong. You
5 know what you did was wrong and I'm tired
6 of it. This has been ongoing. That was
7 one of dozens of incidents. And I said,
8 you know, I don't know why you're doing
9 this, and there's no reason for this, but
10 I'm done.
11 And that's when she said, we
12 will discuss it when you get back.
13 And I said, there is no me
14 getting back. I said, I quit. I quit on
15 the spot.
16 Q. When you said that you told
17 her you know what you did was wrong --
18 A. Uh-huh.
19 Q. -- what were you referring
20 to?
21 A. I was referring to the way
22 -- I was referring to everything, from
23 her crumbling up my doctor's note, for
24 her not calling me that there was someone

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1 to relieve that -- that morning shift,
2 that there was somebody there, for her
3 not calling me and giving me the common
4 courtesy just to stay home.
5 I had laryngitis. Part of
6 it is my fault because I should have just
7 stayed home regardless of what she said,
8 but part of it is her fault, because if
9 someone is sick she should have said
10 okay, just take a sick day, you can't
11 come back, you can't talk, you don't need
12 to get anybody infected or anybody with
13 that, but she knew I couldn't talk and
14 made me come to work and -- and then when
15 I did show up, she didn't call me about
16 the person to relieve. Then she told me
17 -- she didn't apologize or anything, she
18 just said I could leave.
19 I came back with the
20 doctor's note and it became a bigger
21 mess, and that mess escalated to me
22 quitting that day, which I didn't even
23 expect to do. I was just going to call
24 out sick for those two days, which I did,

<p style="text-align: right;">34</p> <p>1 I had a doctor's note.</p> <p>2 Q. You said this was one of</p> <p>3 dozens of incidents?</p> <p>4 A. That's correct.</p> <p>5 Q. What are you talking about</p> <p>6 there?</p> <p>7 A. I mean, these -- these --</p> <p>8 I'll just throw a few of them out.</p> <p>9 One incident was she told me</p> <p>10 that I had a promotion to be the</p> <p>11 appliance specialist. She said it was</p> <p>12 mine. She interviewed me for it. And</p> <p>13 the co-manager, a guy named Jay, they</p> <p>14 both interviewed me for it. And pretty</p> <p>15 much what she said was that I had the</p> <p>16 job, it was just procurement of waiting</p> <p>17 to get that job.</p> <p>18 And I was -- any time any</p> <p>19 managers, regardless of what department</p> <p>20 they were in, uhm, any time they asked me</p> <p>21 to stay overnight, anything, to help out</p> <p>22 with the department, uhm, run the --</p> <p>23 the -- cover the cashiers, unload off the</p> <p>24 carts, I did.</p>	<p style="text-align: right;">35</p> <p>1 was not necessary. Right after that,</p> <p>2 Yvette followed up with that, and instead</p> <p>3 of saying oh, yeah, that's really</p> <p>4 impressive, she followed through to say,</p> <p>5 by the way, we decided not to give you</p> <p>6 the appliance specialist position.</p> <p>7 And then I said, may I ask</p> <p>8 the reason, because you said that was --</p> <p>9 that position was mine. I was the only</p> <p>10 one who interviewed for that. Then she</p> <p>11 said we decided that nobody needs to be</p> <p>12 in that position.</p> <p>13 And I -- I just -- I just</p> <p>14 left that alone and then I left the</p> <p>15 office. That was it.</p> <p>16 Q. Do you remember when that</p> <p>17 was?</p> <p>18 A. Well, that probably was,</p> <p>19 uhm, maybe six months before I quit.</p> <p>20 Q. What other problems did you</p> <p>21 have with Yvette Schreiber?</p> <p>22 A. I had -- I had a big problem</p> <p>23 with one of them that's outstanding. I</p> <p>24 have been a -- Lowe's is all I have ever</p>
<p style="text-align: right;">35</p> <p>1 About two to three months</p> <p>2 after the interview of possibly getting</p> <p>3 the appliance specialist job, which</p> <p>4 sounded like -- she said it's yours</p> <p>5 verbatim, I helped out the electrical</p> <p>6 department the night before. No one</p> <p>7 wanted to stay until midnight cleaning</p> <p>8 out the parking lot, putting the carts</p> <p>9 back, just basically doing a clean sweep.</p> <p>10 He was in the office with</p> <p>11 Yvette. He wrote a letter of</p> <p>12 recommendation just appraising the fact</p> <p>13 that I was one of the few that just</p> <p>14 wanted -- that -- that stayed and helped</p> <p>15 clean out all the carts.</p> <p>16 Q. I'm sorry, who is the "he"?</p> <p>17 A. Don Custodian.</p> <p>18 Q. And what was his position?</p> <p>19 A. Assistant store manager for</p> <p>20 the electrical department.</p> <p>21 Q. Okay.</p> <p>22 A. After the commendation,</p> <p>23 Yvette -- again, this was in her office,</p> <p>24 and I thanked him for it. I told him it</p>	<p style="text-align: right;">37</p> <p>1 done. I have been a vendor -- I did</p> <p>2 Lowe's for six years, and I have been a</p> <p>3 vendor with two different companies,</p> <p>4 Ideal and the one before that, Spectrum</p> <p>5 Brands. Spectrum Brands did VMI vendor</p> <p>6 work for inside and outside garden. With</p> <p>7 Spectrum, I know we are talking about</p> <p>8 Lowe's, but one that stands out was with</p> <p>9 Spectrum Brands working at Lowe's stores.</p> <p>10 I had two pallets of stuff</p> <p>11 that I was going to throw away. I was</p> <p>12 right in the aisle and in the process of</p> <p>13 throwing that away. And she goes, you</p> <p>14 need to clean this shit up now. And</p> <p>15 there was no reason for that because I</p> <p>16 was helping out a customer. The customer</p> <p>17 wasn't right there, the customer was like</p> <p>18 about a bay over, but I just got done</p> <p>19 helping the customer and I was about</p> <p>20 throwing it out of the way.</p> <p>21 And she said that in front</p> <p>22 of other customers that were around and</p> <p>23 other workers, and that wasn't just a</p> <p>24 regular thing. That type of situation</p>

WILLIAM HANSON,

<p>38</p> <p>1 was all the time when I went to the 2 service desk or if she was in that area. 3 Q. Okay. Now, that was an 4 incident that happened while you worked 5 for Spectrum? 6 A. Yes, sir. 7 Q. But you said before that 8 when your -- on your last day as an 9 employee at Lowe's that that was one of 10 dozens of incidents that you had had with 11 Yvette Schreiber -- 12 A. Correct. 13 Q. -- correct? 14 Tell me about the incidents 15 that happened when you worked for Lowe's. 16 A. Yes, sir. I worked in -- I 17 started out in the flooring department. 18 I worked in the flooring department at 19 Lowe's about upwards of four or more 20 years. After that, that's when I started 21 to go to the garden department and rotate 22 around the stores. 23 I wanted to rotate -- I was 24 just a sales associate, but I felt it</p>	<p>40</p> <p>1 that I didn't want to work in the 2 flooring department. She just threw me 3 in there anyway because she knew that 4 would make me miserable, and I addressed 5 that to her several times. 6 And then being that I was 7 just a sales associate, not even the 8 manager, any time there would be 9 something wrong with flooring, whether it 10 be the overhead or pricing -- if the 11 pricing was a discrepancy, or if maybe 12 the product wasn't, you know, front-faced 13 and, you know, looked fully stocked and 14 nothing was down stocked, she would be on 15 me, meaning that she was -- she would 16 reprimand me, and not even being the 17 manager, she would reprimand me. 18 And one time I did question 19 her. I said, why are you reprimanding me 20 for all these issues in flooring? 21 She goes, you're supposed to 22 be the star of that department. You're 23 supposed to be the star. You're supposed 24 to look good. You have been there the</p>
<p>39</p> <p>1 would be advantageous if I learned as 2 many departments as possible throughout 3 my tenure at Lowe's because I was trying 4 to make a career at Lowe's after I 5 graduated. 6 I wanted to go into either 7 -- excuse me, I wanted to either go into 8 paint or hardware or home decor because 9 those were openings that were posted and 10 they needed somebody. 11 Q. What kind of openings were 12 there? 13 A. Just sales associate. They 14 just needed someone to have coverage. 15 Q. Okay. 16 A. And being that I had been 17 informed for four years, one of the 18 reasons I left, I was burnt out, it was 19 the same thing, I wasn't learning 20 anything, so I didn't want to be 21 somewhere where I wasn't learning. 22 She threw me back in 23 flooring anyway after I made it adamantly 24 clear over and over and over and over</p>	<p>41</p> <p>1 longest and there shouldn't be any of 2 these problems. 3 And I told her, well, I'm 4 only one person. There's three other 5 people that work in the department. And 6 she didn't want to hear that. And then 7 she just said, you just do your job, and 8 then she walked away. 9 Q. So do you think she was 10 holding you to a higher standard than the 11 other employees in the department? 12 A. I think she was holding me 13 to a -- uhm, an unfair standard, being 14 that I was one of four people. If any 15 issues, they should be directed from the 16 chain of command with the department 17 manager. Any kind of issues, she would 18 direct that to the department manager, 19 and they had a specialist in flooring, 20 too, so she should have directed that to 21 the flooring specialist. For some reason 22 she was directing it to me. 23 Q. Why do you think she was 24 directing it to you?</p>

11 (Pages 38 to 41)

<p style="text-align: right;">42</p> <p>1 A. I have no idea.</p> <p>2 Q. Now, you said she put you</p> <p>3 back in flooring because she knew it</p> <p>4 would make you miserable?</p> <p>5 A. Yeah, that's my opinion --</p> <p>6 Q. Okay.</p> <p>7 A. -- that -- that she -- that</p> <p>8 she knew that I didn't want to go back</p> <p>9 there, and -- and I don't know if she was</p> <p>10 -- again, this is an opinion. Maybe she</p> <p>11 felt that -- if I went to flooring, maybe</p> <p>12 she felt that I would quit.</p> <p>13 Now, I'm not saying this is</p> <p>14 what she said or anything like that, but</p> <p>15 that's what I felt.</p> <p>16 Q. Did she ever say that to</p> <p>17 you?</p> <p>18 A. She never said that to me.</p> <p>19 Q. Did anybody ever say that to</p> <p>20 you?</p> <p>21 A. No, sir.</p> <p>22 Q. Okay. Now, did you ever ask</p> <p>23 her why you were going to flooring when</p> <p>24 you wanted to go to a different</p>	<p style="text-align: right;">44</p> <p>1 year.</p> <p>2 Q. And what did she say when</p> <p>3 you said, can this be a temporary thing?</p> <p>4 A. She said we will work on it.</p> <p>5 Q. And did you remain in the</p> <p>6 flooring department?</p> <p>7 A. The whole time, until I</p> <p>8 left.</p> <p>9 Q. Did you ever complain to</p> <p>10 anybody about that?</p> <p>11 A. Yes, sir.</p> <p>12 Q. I'm sorry?</p> <p>13 A. Yes, sir.</p> <p>14 Q. And who else did you</p> <p>15 complain to about it?</p> <p>16 A. Larry Reed.</p> <p>17 Q. Who is Larry Reed?</p> <p>18 A. The department manager in</p> <p>19 the paint department.</p> <p>20 Q. In the paint department?</p> <p>21 A. Yes, sir.</p> <p>22 Q. And what did you tell Mr.</p> <p>23 Reed?</p> <p>24 A. I told Mr. Reed that, uhm, I</p>
<p style="text-align: right;">43</p> <p>1 department?</p> <p>2 A. Yes, sir, I did.</p> <p>3 Q. And what --</p> <p>4 A. Sorry.</p> <p>5 Q. I was just going to say,</p> <p>6 what did she say?</p> <p>7 A. She said that they needed</p> <p>8 somebody in that department, regardless</p> <p>9 of the openings in home decor and paint</p> <p>10 or hardware, she wanted me back in that</p> <p>11 department. She didn't want to have to</p> <p>12 like train anybody.</p> <p>13 Q. Okay. So she decided it was</p> <p>14 easier to keep you in that department</p> <p>15 than to train somebody else?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. Do you have any</p> <p>18 reason to doubt that that was true?</p> <p>19 A. No. Uhm, my rebuttal to</p> <p>20 what she said was that can this be a</p> <p>21 temporary thing? And that's why I didn't</p> <p>22 make such a big deal of it, like it could</p> <p>23 be just a couple of months, but that</p> <p>24 couple of months ended up being almost a</p>	<p style="text-align: right;">45</p> <p>1 felt that I would be an asset in his</p> <p>2 department because he's the paint</p> <p>3 department manager, and he even vouched</p> <p>4 for me to work in that department,</p> <p>5 referred me, but that wasn't good enough</p> <p>6 to get me in his department, and he, uhm,</p> <p>7 couldn't do any more than that.</p> <p>8 Q. Anybody else you talked to</p> <p>9 about it?</p> <p>10 A. Ryan Hogate.</p> <p>11 Q. Ryan Hogate?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Who is Ryan Hogate?</p> <p>14 A. At the time, a flooring</p> <p>15 department specialist.</p> <p>16 Q. What did you tell Mr.</p> <p>17 Hogate?</p> <p>18 A. I told him that, uhm --</p> <p>19 because I had worked with him before,</p> <p>20 before he was a specialist in the</p> <p>21 flooring department, that, uhm, if he</p> <p>22 could say anything, say something to</p> <p>23 Yvette, because I'm really -- there's</p> <p>24 openings in other departments, and</p>

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1 flooring is not a department that's
2 rocket science at all. Anybody could
3 train and learn it within that week.
4 It's not rocket science.
5 And I just addressed a
6 concern and just -- basically just told
7 him that, you know, I'm supposed to --
8 you know, we will see how this pans out.
9 Yvette said she would give it a couple of
10 months, but I just told him how I felt.
11 Q. What did he say?
12 A. He says he understands my
13 situation and, you know, if he gets a
14 chance, you know, he'll talk to her.
15 Q. Do you know whether he ever
16 did?
17 A. I know that he -- he
18 mentioned that he was willing to like
19 train somebody else. Like anybody that
20 came in, he would have been a mentor or
21 something like that, but Larry and Ryan,
22 I know they had mentioned something to
23 her. I don't know what they exactly told
24 her, but they got back to me and stated

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1 that they did address it with Yvette.
2 Q. And did they tell you what
3 Yvette said?
4 A. She just said she doesn't --
5 didn't have time for it. I don't know if
6 that's what she said verbatim, but --
7 what she told me is she would get to it,
8 something in the nature of what she told
9 both Ryan and Larry, to that extent, that
10 she would get to it.
11 Q. How long was this before you
12 left Lowe's?
13 A. Probably -- probably like
14 six months before I left Lowe's.
15 Q. Anybody else that you
16 complained to about it?
17 A. Jay.
18 Q. Jay?
19 A. Yeah, the co-manager that
20 interviewed me for the appliance
21 specialist position. That position was
22 -- he interviewed me, along with Yvette,
23 for that position.
24 Q. And what did you discuss

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1 with him?
2 A. I said I know that Yvette
3 makes that decision, but you were in that
4 interview as the second party. She said
5 that that position was pretty much mine.
6 What's happening?
7 And he pretty much says
8 Yvette just does her own thing and that
9 he was sorry that he could not help me
10 out with that.
11 Q. Now, you said Yvette had
12 told you that she decided that she wasn't
13 going to have that position, the
14 appliance specialist position?
15 A. Correct.
16 Q. Did you see -- or did
17 anybody else ever get that appliance
18 specialist position?
19 A. Yeah, towards the end of
20 when I left. It probably wasn't right
21 away, but probably six, eight months
22 after that conversation with me.
23 Q. Okay. And who was it that
24 got that job?

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1 A. I don't know the gentleman's
2 name. It was a male, Caucasian.
3 Q. Now, were you looking to get
4 the appliance specialist job at the same
5 time that you were looking to leave
6 flooring?
7 A. The appliance specialist job
8 was -- it was kind of like in the mix
9 between -- they had openings for home
10 decor, paint and hardware, but the
11 appliance specialist was before the other
12 openings.
13 Q. How much before?
14 A. It was -- it was a long time
15 ago. Probably -- we are not talking
16 long. We are probably talking between
17 one and two months.
18 Q. So was this all within the
19 last year or so of your employment at
20 Lowe's?
21 A. Yes, sir.
22 Q. Okay. And any other
23 problems that you had with Yvette
24 Schreiber during the time that you worked

<p style="text-align: right;">50</p> <p>1 for Lowe's?</p> <p>2 A. To me, this one isn't as</p> <p>3 major. They have what they call a code 3</p> <p>4 when you work in the department. Code 3</p> <p>5 is cashiering, and basically when they</p> <p>6 call code 3, that means -- if there's</p> <p>7 more than three people in one line, code</p> <p>8 3 means there's lines, leave the</p> <p>9 department, go straight to the cashier,</p> <p>10 run the register, get as many people out</p> <p>11 as you can, and then close the register</p> <p>12 and then go back to the department.</p> <p>13 At first, I was -- any time</p> <p>14 she called code 3, you know, I was always</p> <p>15 at the register, and then she came -- out</p> <p>16 of the 150 plus employees she had, my</p> <p>17 name was always the name that was on the</p> <p>18 intercom for code 3, because when she --</p> <p>19 when she had started this code 3 when she</p> <p>20 went into the store, uhm, I guess that's</p> <p>21 how she knew me, was always just by</p> <p>22 running to the register.</p> <p>23 And I was taken advantage</p> <p>24 of, that about a month or so after when I</p>	<p style="text-align: right;">52</p> <p>1 either she would call me or she would see</p> <p>2 me in the aisle and she goes, I'm</p> <p>3 disappointed in you, I'm disappointed in</p> <p>4 you, something like that, snide remarks,</p> <p>5 whether it be on the phone or seeing her</p> <p>6 in the aisle.</p> <p>7 Q. Did you ever ask her why she</p> <p>8 was asking you to go to the code 3 as</p> <p>9 opposed to somebody else?</p> <p>10 A. Again, I -- I explained to</p> <p>11 her about the customer situation like I</p> <p>12 first did the first time we had it. I</p> <p>13 guess she wanted to call it a problem,</p> <p>14 which I didn't feel it was, and to her it</p> <p>15 didn't matter that I was with the</p> <p>16 customer. She felt that when she called</p> <p>17 me, that I needed to be there ASAP, no</p> <p>18 ifs, ands or buts.</p> <p>19 Q. And is that what she told</p> <p>20 you?</p> <p>21 A. No, she told me that -- when</p> <p>22 I had asked -- she basically -- because I</p> <p>23 told her I was with a customer when she</p> <p>24 was upset that I couldn't go up there,</p>
<p style="text-align: right;">51</p> <p>1 couldn't go up to do a code 3 because I</p> <p>2 was with a customer in a department or in</p> <p>3 the middle of getting something down for</p> <p>4 a customer, whatever it may be, we all</p> <p>5 had department phones that we carried,</p> <p>6 and then she would call me and get upset</p> <p>7 on why I wasn't doing the code 3.</p> <p>8 And I would try to explain</p> <p>9 to her that I was with the customer, and</p> <p>10 that wasn't good enough, and then she</p> <p>11 would just hang up on me and then she</p> <p>12 would just get upset.</p> <p>13 Q. How many times did that</p> <p>14 happen?</p> <p>15 A. Regularly.</p> <p>16 Q. More than five?</p> <p>17 A. Uhm, probably three -- at</p> <p>18 least three times a week.</p> <p>19 Q. And every time she called</p> <p>20 you, you were with a customer?</p> <p>21 A. Not every time. It was</p> <p>22 sporadic. Sometimes I would be,</p> <p>23 sometimes I wouldn't be, but she would</p> <p>24 let me know that if I didn't go up there,</p>	<p style="text-align: right;">53</p> <p>1 and I told her I was with the customer,</p> <p>2 and she made -- I don't remember what she</p> <p>3 said, but she made it seem like that it</p> <p>4 doesn't matter. If she calls me, I need</p> <p>5 to be up there.</p> <p>6 I didn't -- what I wanted to</p> <p>7 say to her was, what, I am supposed to</p> <p>8 just leave the customer hanging? Code 3,</p> <p>9 I got to go to the register, so I'm</p> <p>10 sorry, I can't help you out with that.</p> <p>11 I didn't say that to her.</p> <p>12 And she said when she calls me and I am</p> <p>13 supposed to be there when she calls me,</p> <p>14 and I just said, well, I was with a</p> <p>15 customer.</p> <p>16 And she said, it doesn't</p> <p>17 matter, you should go there when I call</p> <p>18 you.</p> <p>19 Q. Did she -- let me make sure</p> <p>20 I understand this.</p> <p>21 Did she call you on your</p> <p>22 phone and then you answered the phone?</p> <p>23 A. She would only call me if I</p> <p>24 didn't show up. She would announce on</p>

<p style="text-align: right;">54</p> <p>1 the intercom code 3, William Hanson, code</p> <p>2 3, Jason, Mike. She would just throw out</p> <p>3 all kinds of names.</p> <p>4 Q. So you were one of several</p> <p>5 people she would call for the code 3?</p> <p>6 A. One of -- yes, sir.</p> <p>7 Q. And who were the others that</p> <p>8 she would call?</p> <p>9 A. I can't remember last names,</p> <p>10 but Larry Reed, Thelma, Mike, Ron. These</p> <p>11 are all just first names. Last names I</p> <p>12 don't remember very well.</p> <p>13 Q. Why did she call all of</p> <p>14 these particular people?</p> <p>15 A. They knew how to run the</p> <p>16 register.</p> <p>17 Q. Did you also know how to run</p> <p>18 the register?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Okay. And so, as far as you</p> <p>21 know, she was calling the people who knew</p> <p>22 how to run the register?</p> <p>23 A. Yes, sir.</p> <p>24 Q. And were you the only one</p>	<p style="text-align: right;">56</p> <p>1 snide remarks.</p> <p>2 Q. The snide remarks were what,</p> <p>3 that she was disappointed in you?</p> <p>4 A. I'm disappointed in you, you</p> <p>5 got to go there when I call you.</p> <p>6 Q. Were there other employees</p> <p>7 that she would say that to?</p> <p>8 A. I know that she chastised</p> <p>9 many different employees at Lowe's as far</p> <p>10 as -- I'm not going to say anything</p> <p>11 because I don't -- I don't know what she</p> <p>12 told other people. All I can say is</p> <p>13 whatever she told other people, she</p> <p>14 caused a lot of good people to quit.</p> <p>15 Q. So she was a difficult</p> <p>16 person to work under?</p> <p>17 A. She was very, very</p> <p>18 difficult.</p> <p>19 Q. And a lot of people had</p> <p>20 problems with her?</p> <p>21 A. Yes, sir.</p> <p>22 Q. And a lot of people quit</p> <p>23 because they didn't like dealing with</p> <p>24 her?</p>
<p style="text-align: right;">55</p> <p>1 who did not go to the register when she</p> <p>2 would call a code 3 and call you?</p> <p>3 A. Some days I wouldn't and</p> <p>4 some days I would, but the days that I</p> <p>5 wouldn't, I was always with the customer.</p> <p>6 Q. So every time that you</p> <p>7 didn't go to a code 3 you were with a</p> <p>8 customer?</p> <p>9 A. Correct.</p> <p>10 Q. Okay. And did you tell</p> <p>11 Yvette, I'm with a customer, I can't go?</p> <p>12 A. Yes, sir, I would call her</p> <p>13 -- the times I would call her and she</p> <p>14 would answer the phone, she would take it</p> <p>15 and be like, okay, and then other times I</p> <p>16 would call her and she wouldn't even</p> <p>17 answer it. If I didn't get a chance to</p> <p>18 call her because the battery is low, or I</p> <p>19 didn't have the phone for some reason, if</p> <p>20 I was with that customer, there would be</p> <p>21 times I just couldn't call her or let her</p> <p>22 know or tell someone to tell her, and</p> <p>23 that's when she would get upset and call</p> <p>24 the phone or when she would see me make</p>	<p style="text-align: right;">57</p> <p>1 A. Yes.</p> <p>2 Q. Do you remember any others</p> <p>3 who quit because they didn't like dealing</p> <p>4 with Yvette?</p> <p>5 A. Man, this goes back five</p> <p>6 years ago, but it -- a guy named Ron, I'm</p> <p>7 not going to remember the last name, but</p> <p>8 a guy named Ron in plumbing, he's the</p> <p>9 department manager, a guy named Mike in</p> <p>10 plumbing, the plumbing specialist, and</p> <p>11 then -- uhm, there's a lot. A guy named</p> <p>12 Rick, who is actually my boss, the</p> <p>13 department manager in flooring.</p> <p>14 I could probably get three</p> <p>15 or four other names, but these -- I'd</p> <p>16 remember if I saw them, but I don't</p> <p>17 remember their last names.</p> <p>18 Q. And they all quit because</p> <p>19 they didn't like dealing with Yvette?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Did she do the same kinds of</p> <p>22 things to them as she was doing to you?</p> <p>23 A. Probably in a different</p> <p>24 form.</p>

15 (Pages 54 to 57)

<p>58</p> <p>1 Q. How do you know about the</p> <p>2 things she was doing to them?</p> <p>3 A. Breakroom, either these</p> <p>4 individuals told me about it, and usually</p> <p>5 after they were -- after they left, I</p> <p>6 would see them elsewhere and they would</p> <p>7 tell me about it, elsewhere meaning at a</p> <p>8 mall or something. People talk.</p> <p>9 Q. Okay. You said Ron in</p> <p>10 plumbing?</p> <p>11 A. Yes, sir.</p> <p>12 Q. You don't remember Ron's</p> <p>13 last name?</p> <p>14 A. I don't.</p> <p>15 Q. Do you remember what Ron's</p> <p>16 national origin or race is?</p> <p>17 A. He was Caucasian.</p> <p>18 Q. And how about Mike in</p> <p>19 plumbing?</p> <p>20 A. Mike was -- uhm, I don't</p> <p>21 know what his national origin was, to be</p> <p>22 honest with you, Mike.</p> <p>23 Q. Do you know his race?</p> <p>24 A. He was kind of like the same</p>	<p>60</p> <p>1 I mean, like, for example, when I</p> <p>2 wouldn't go to the cashier to run the</p> <p>3 register, she would say stuff like -- one</p> <p>4 of the things she told me was I'm</p> <p>5 disappointed in you. That was like one</p> <p>6 thing.</p> <p>7 Then another thing is if I</p> <p>8 didn't run the cashier, she goes, what</p> <p>9 the hell you doing the whole time? Why</p> <p>10 couldn't you -- without even giving me a</p> <p>11 chance to explain myself.</p> <p>12 And then another one would</p> <p>13 be, where were you hiding at the whole</p> <p>14 time? I called your name. Where were</p> <p>15 you hiding at?</p> <p>16 And then another one would</p> <p>17 be, I couldn't find you. Where were you?</p> <p>18 I mean, just she would just</p> <p>19 different -- can be the same -- code 3,</p> <p>20 but she was saying a different tone,</p> <p>21 different mannerism, and then -- in that</p> <p>22 type of environment.</p> <p>23 Q. And she did this to a lot of</p> <p>24 employees?</p>
<p>59</p> <p>1 type of skin tone as me, so he was</p> <p>2 probably in between.</p> <p>3 Q. And in between meaning?</p> <p>4 A. I don't know. I don't know</p> <p>5 if he was Hispanic or Asian. I'm not</p> <p>6 sure.</p> <p>7 Q. How about Rick?</p> <p>8 A. Rick was Caucasian.</p> <p>9 Q. Any other instance you had</p> <p>10 with Yvette Schreiber during the time</p> <p>11 that you worked for Lowe's?</p> <p>12 A. I don't want to be</p> <p>13 repetitive. If I -- those events -- just</p> <p>14 basically things that she would say would</p> <p>15 be in the -- in the different tone.</p> <p>16 Pretty much those events there are just</p> <p>17 -- it would be a different day, different</p> <p>18 tone, different manner. It was just a</p> <p>19 regular routine.</p> <p>20 Q. Okay. And I guess I'm not</p> <p>21 quite understanding what you're telling</p> <p>22 me. Are you telling me that she would do</p> <p>23 the same type of things?</p> <p>24 A. Yeah, but in different way.</p>	<p>61</p> <p>1 A. Not everybody, but I would</p> <p>2 say probably a good majority.</p> <p>3 Q. Okay. And that's why a</p> <p>4 number of employees quit?</p> <p>5 A. Correct.</p> <p>6 Q. Are there any others that</p> <p>7 you remember beyond the three you gave me</p> <p>8 who quit because -- along with yourself,</p> <p>9 who quit because they didn't like working</p> <p>10 for her?</p> <p>11 A. I'm trying -- because I know</p> <p>12 a lot of people that quit when I was a</p> <p>13 vendor at Lowe's, but I know we are still</p> <p>14 talking about Lowe's, and I don't want to</p> <p>15 mix up the people that quit when I was a</p> <p>16 vendor at Lowe's.</p> <p>17 Q. Do you mean people who quit</p> <p>18 working for Lowe's while you were a</p> <p>19 vendor?</p> <p>20 A. Yeah, there was quite a few</p> <p>21 that --</p> <p>22 Q. I'm sorry, for the same</p> <p>23 reason, quit for the same reason?</p> <p>24 A. Yes, sir.</p>

16 (Pages 58 to 61)

<p style="text-align: right;">62</p> <p>1 Q. And who were they?</p> <p>2 A. Jeff Ramirez, a vendor in</p> <p>3 plumbing. I mean, he was a -- he worked</p> <p>4 for Lowe's, but I was a vendor at the</p> <p>5 time.</p> <p>6 Q. Okay. He was a Lowe's</p> <p>7 employee who quit because he didn't like</p> <p>8 dealing with Yvette?</p> <p>9 A. Correct.</p> <p>10 Q. How do you know that?</p> <p>11 A. She pretty much did the same</p> <p>12 things to him that she did to me, uhm,</p> <p>13 just -- just the snide comments that she</p> <p>14 would make, and he would do his job and</p> <p>15 it would never be enough, and she would</p> <p>16 make snide comments to him, and it just</p> <p>17 got to a point where there was one too</p> <p>18 many comments and so he ended up</p> <p>19 quitting.</p> <p>20 He did the same thing I did,</p> <p>21 came back as a vendor servicing the same</p> <p>22 Lowe's store that she was at, and she did</p> <p>23 the same thing to him as a vendor that</p> <p>24 she did to him as a Lowe's employee. It</p>	<p style="text-align: right;">64</p> <p>1 because they made it up or it's true,</p> <p>2 that's something between Jeff and Yvette.</p> <p>3 Q. Okay. Any other people who</p> <p>4 you remember who left while you were a</p> <p>5 vendor, who left working from Lowe's?</p> <p>6 A. Steve Fowler(sic).</p> <p>7 Q. F-o-w-l-e-r?</p> <p>8 A. I'm sorry, I don't know,</p> <p>9 sir.</p> <p>10 Q. And do you know why Steve</p> <p>11 left?</p> <p>12 A. Again, same situation as</p> <p>13 Jeff and myself. Yvette just chastising</p> <p>14 Steve. He quit Lowe's, came back as a</p> <p>15 vendor servicing the same Lowe's as</p> <p>16 Yvette was in, of course, same routine as</p> <p>17 all of us, and, uhm, she -- she tended to</p> <p>18 micromanage.</p> <p>19 The way it works with</p> <p>20 usually wit vendor manager inventories</p> <p>21 and service departments, just servicing</p> <p>22 different departments, we are not</p> <p>23 micromanaged by Lowe's personnel. We</p> <p>24 have our own company, DDP Holdings, Idea</p>
<p style="text-align: right;">63</p> <p>1 was just exactly the same thing that I</p> <p>2 went through.</p> <p>3 Q. What kind of smart comments</p> <p>4 did she make to him?</p> <p>5 A. This is hearsay, I mean, but</p> <p>6 just basically comments like that he was</p> <p>7 lazy.</p> <p>8 Q. Who did -- what do you mean</p> <p>9 it's hearsay, something that he told you</p> <p>10 about?</p> <p>11 A. No. No, sir.</p> <p>12 Q. And how do you know about</p> <p>13 this?</p> <p>14 A. Other -- other associates</p> <p>15 that work in the plumbing department.</p> <p>16 Q. And Yvette would tell Jeff</p> <p>17 Ramirez that he was lazy?</p> <p>18 A. That's hearsay. From other</p> <p>19 -- the source of hearing from other</p> <p>20 plumbing employees at Lowe's, they would</p> <p>21 say that Jeff was unhappy because Yvette</p> <p>22 was calling him lazy.</p> <p>23 Q. Okay.</p> <p>24 A. Whether that was fabricated</p>	<p style="text-align: right;">65</p> <p>1 Merchandising. We have tasks, whether it</p> <p>2 be your PDA or faxed paperwork, we go</p> <p>3 there and we do a job and we are done.</p> <p>4 And that's how it goes for</p> <p>5 all vendors, because I did five Lowe's</p> <p>6 stores and five Depots, and the way she</p> <p>7 made it work, whether it was between</p> <p>8 Steve, Jeff or myself, she micromanaged.</p> <p>9 She made sure, not only that she was --</p> <p>10 I'm not going to say confronting them in</p> <p>11 that department, but she made sure her</p> <p>12 presence was known, and she would let</p> <p>13 that be known either by her being in that</p> <p>14 department where they were at</p> <p>15 face-to-face or by simply just having</p> <p>16 someone go to them and saying, Yvette</p> <p>17 wants you to do this, this, this and</p> <p>18 that.</p> <p>19 Q. And that was during the time</p> <p>20 that they were vendors?</p> <p>21 A. Correct.</p> <p>22 Q. Okay. Anybody else that you</p> <p>23 remember who quit working for Lowe's</p> <p>24 during the time that you were a vendor</p>

<p>66</p> <p>1 there because they didn't like Yvette?</p> <p>2 A. There's been a lot of</p> <p>3 people. Another guy -- see, this goes</p> <p>4 back -- I'm not going to associate faces,</p> <p>5 but this goes back about five -- well,</p> <p>6 it's a vendor, about two -- two years ago</p> <p>7 as a vendor, about five years when I quit</p> <p>8 for Lowe's.</p> <p>9 Again, the guy -- it's a</p> <p>10 different Mike, not the same Mike that I</p> <p>11 told you about, but this Mike, too, was</p> <p>12 also in plumbing. There is, I guess, two</p> <p>13 Mikes.</p> <p>14 Q. What happened with this Mike</p> <p>15 in plumbing?</p> <p>16 A. He just was -- uhm, he just</p> <p>17 felt that Yvette wasn't working with him</p> <p>18 as far as scheduling.</p> <p>19 Q. So he quit?</p> <p>20 A. He quit.</p> <p>21 Q. And was he having the same</p> <p>22 kind of problems you were having with</p> <p>23 Yvette?</p> <p>24 A. I think he dealt -- not</p>	<p>68</p> <p>1 interviewed you for the appliance</p> <p>2 specialist position?</p> <p>3 A. Yes, sir, that's correct.</p> <p>4 Q. Do you know why he quit?</p> <p>5 A. He -- I believe it had to</p> <p>6 deal with -- uhm, like I said, this is</p> <p>7 just hearsay, but --</p> <p>8 Q. All right. I'm going to</p> <p>9 back you up a second because hearsay is</p> <p>10 something that we as lawyers use an awful</p> <p>11 lot and most of us don't really even know</p> <p>12 what it means, but when you say "this is</p> <p>13 hearsay," how do you know it, because</p> <p>14 that will make it easier for us to deal</p> <p>15 with it?</p> <p>16 A. Sure. Not necessarily a</p> <p>17 credible source, not with validity, like</p> <p>18 a witness. I could say, hey, Jack said</p> <p>19 this at this -- I couldn't tell you that.</p> <p>20 Hearsay is more than two, three, four</p> <p>21 people. It could be distorted, but was</p> <p>22 -- it was said.</p> <p>23 Q. Okay. Why don't you tell me</p> <p>24 who told you about Jay Hammond and why he</p>
<p>67</p> <p>1 really the same, but just dealt with</p> <p>2 scheduling. She just wouldn't</p> <p>3 accommodate -- he was doing another job</p> <p>4 and she wouldn't accommodate -- you know,</p> <p>5 work his hours out to be able to do both</p> <p>6 jobs so he had to quit.</p> <p>7 Q. Did you have any problems</p> <p>8 with scheduling with Yvette?</p> <p>9 A. No, sir.</p> <p>10 Q. You were going to school</p> <p>11 then, too, weren't you?</p> <p>12 A. Correct.</p> <p>13 Q. So you were able to schedule</p> <p>14 your work around your school?</p> <p>15 A. Yes, sir.</p> <p>16 Q. And anybody else who you</p> <p>17 remember quit because they didn't like</p> <p>18 Yvette during the time that you were a</p> <p>19 vendor?</p> <p>20 A. Jay.</p> <p>21 Q. Okay.</p> <p>22 A. Jay Hammond. I don't know</p> <p>23 the correct spelling of the last name.</p> <p>24 Q. Is he the one who</p>	<p>69</p> <p>1 quit?</p> <p>2 A. I mean, that came from just</p> <p>3 about everybody, pretty much everyone in</p> <p>4 the store, because Yvette passed him up</p> <p>5 for promotion and -- basically passed him</p> <p>6 up for promotion. Instead of being like</p> <p>7 the co-manager, he was still assistant</p> <p>8 store manager, just basically being</p> <p>9 passed up for promotion and not having</p> <p>10 the flexibility as the other managers</p> <p>11 that Yvette had under her -- under her</p> <p>12 umbrella.</p> <p>13 Q. And that was something that</p> <p>14 you heard just through other people in</p> <p>15 the store?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. Anybody else who you</p> <p>18 remember who quit because they didn't</p> <p>19 like Yvette during the time that you were</p> <p>20 a vendor?</p> <p>21 A. Kathy.</p> <p>22 Q. Kathy?</p> <p>23 A. I don't remember her last</p> <p>24 name, though.</p>